

## **PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD**

**MONDAY, June 14, 2004**

**3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II**

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with members Chatterjee, Kreider, Raser, Senhauser and Spraul-Schmidt, present. Absent: Bloomfield, Kirk, Sullebarger and Wallace

### **MINUTES**

The minutes of the Monday, May 24, 2004 meeting approved as corrected (motion by Raser, second by Spraul-Smith).

### **CERTIFICATE OF APPROPRIATENESS, 2725 CLEINVIEW AVENUE, CLEINVIEW-HACKBERRY HISTORIC DISTRICT**

Staff member Caroline Kellam presented the staff report on a proposal to construct a driveway and retaining wall at 2725-27 Cleinview Avenue. There were issues discussed at the December 22, 2003 Board meeting regarding the drainage and the proximity of the retaining wall and driveway to the neighboring house at 2719 Cleinview Avenue. The item was tabled to allow the applicants to consult with a professional engineer.

The applicants have since hired an engineer and determined the best solution is to excavate the front yard and construct the driveway with a proper drain. The revised proposal lowers the existing grade on the side yard closer to the level of the street, rather than raise the grade and construct a retaining wall as previously proposed. The neighboring property owner Ms. Tina Turner of 2719 Cleinview Avenue has sent a letter supporting the project with the condition that the driveway includes paving or a curb up to and abutting the side of her house. She does not want any unpaved area between the side of her house and the driveway.

Ms. Mary Anne Lee, President of the East Walnut Hills Assembly stated that she supported the project; the applicants are not only enhancing the value of their own property, but also rectifying a chronic parking problem on the street.

### **BOARD ACTION**

The Board voted (motion by Raser, second by Spraul-Smith), to approve a Certificate of Appropriateness with the following conditions:

1. Find that the loss of the front yard along the property line is an acceptable loss.
2. Approve the construction of a new retaining wall and a concrete or asphalt driveway with the condition that the surface gives the appearance of aggregate stone to the extent possible.
3. Final plans and any revisions be reviewed and approved by the Urban Conservator prior to issuing a Certificate of Appropriateness and a building permit.

**CERTIFICATE OF APPROPRIATENESS, 128 & 130 MULBERRY STREET,  
OVER-THE-RHINE HISTORIC DISTRICT**

Staff member Caroline Kellam presented the staff report on an application for a Certificate of Appropriateness for 128 and 130 Mulberry Street. In October 2003 the Board approved the subdivision of the lots, the building footprints on each lot and setback variances conditioned upon the later approval of the design for each house.

Staff stated the overall design meets the guidelines for the Over-the-Rhine Historic District.

Mr. Steven Kreimer stated he lives at 131 Mulberry Street. He returned from vacation and noticed the first flight of stairs at 128 Mulberry Street was pressure treated lumber rather than metal steps and a metal railing he remembered being approved. Mr. Kreimer said the new stairs look totally inappropriate.

Mr. Honerlaw, the owner and applicant stated that he changed to pressure treated wood because he wanted solid treads; the railing will be metal. He said that once the railing is painted out, it will not look like a wood deck. Mr. Honerlaw confirmed that the drawings submitted do not show the wood risers and treads installed at 131 Mulberry. He stated that he would modify what he has and stay with the original proposal.

**BOARD ACTION**

The Board voted unanimously (motion by Raser, second by Kreider) to take the following actions:

1. Approve a Certificate of Appropriateness for the design of a single-family house at 128 Mulberry Street.
2. Approve a Certificate of Appropriateness for the design of a single-family house at 130 Mulberry Street.
3. Find that the design is acceptable and thereby meets the condition of zoning variance approvals dated October 6, 2003.

**CERTIFICATE OF APPROPRIATENESS & ZONING VARIANCES, 1833 KEYS  
CRESCENT, EAST WALNUT HILLS HISTORIC DISTRICT**

Staff member Caroline Kellam, presented the staff report which is a very large project at 1833 Keys Crescent. She indicated that the new construction will be close to adjacent properties on Keys Crescent Lane.

This property is located in an SF-20, a single-family zoning district, which allows large-lot single-family housing at very low densities with a minimum lot size of 20,000 square feet. Since the property has frontage on two streets, Keys Crescent and Collins Avenue (a paper street), it has two front yards. There is no rear yard by zoning definition. Nonetheless, there are several zoning variances required for this project.

Ms. Kellam stated that the East Walnut Hills Assembly was notified and that a representative of the Assembly has been out to the site and discussed the entire project with the architect. The owners of an adjoining property on Keys Crescent Lane, the Dearths, have reviewed the plans with staff and expressed their reservations.

Mr. Matthew Evans, architect along with the owners Mr. Martin and Mrs. Maribeth Rahe were present. Mr. Evans said he and the Rahe's have met with the adjoining property owners multiple times to try to appease everyone in the neighborhood.

Ms. Mary Ann Lee, President of the East Walnut Hills Assembly, said she and members of the executive board of the Assembly met with the Rahe's to view the various changes and plans concerning the project. She said that the project complies with the historic guidelines and that the East Walnut Hills Assembly endorses this project.

Mr. Bob Dearth owner of 1834 Keys Crescent Lane stated the architect and the owners have made many changes to their proposed rear addition, in an attempt to minimize the visual impact of the proposed addition on the entry to his home. He thanked them for the changes they had made so far; however, he believes the addition is still too close to the rear property line. Mr. Dearth pointed out that the close proximity of the proposed addition to a side or rear yard is out of character with every other historic home. Since the property survey shows that the retaining wall and rear yard fence are on the property line, Mr. Dearth asked that the fence be relocated and that the Rahe's acknowledge the encroachment of their retaining wall. He also stated there is a significant risk that his wall is going to come down.

Mr. Robert Luke, 1831 Keys Crescent Lane, stated he is concerned that extensive excavation and pounding in the area will affect his foundation. He asked that Mr. Rahe secure appropriate bonding to address any future legal issues that might arise from the construction. Mr. Senhauser indicated that the purpose of this board is to view the proposal relative to the historic guidelines. Issues of health and safety are better dealt with through the Building Department which has jurisdiction over the actual construction. Mr. Rahe stated he would give written assurance to the neighbors that he will address any damage to their properties.

Mr. Dearth asked for clarification of the zoning issues regarding the addition. Mr. Senhauser replied that the new addition does not exceed the total area of the existing by more than 12%. If it did, it would require a variance.

### **BOARD ACTION**

The Board voted unanimously (motion by Kreider, second by Raser) to take the following actions:

1. Grant zoning variances for the height of the archway above the garage addition as per Chapter 1421-33 (b) and (c) and the height, location and setbacks of the new pool house, and as proposed in the plans submitted, per Chapter 1421-01 Accessory Residential Structures (a), (c), (e), (f) of the Cincinnati Zoning Code finding that such relief from the literal implication of the Zoning Code:
  - a) Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic, architectural, or aesthetic integrity of the district; and
  - c) Will not be materially detrimental to the public health, safety, and welfare or injurious to the property in the district or vicinity where the property is located.

2. Approve a Certificate of Appropriateness for the construction of an addition to the house, a subterranean garage, removal of an existing pool and construction of a new pool and pool house with the following conditions:
  - a. Submit a landscape and fencing plan for the entire project prior to construction.
  - b. The AC condenser units now in the front yard be temporary and be relocated to the rear yard as part of the new addition.
  - c. Any revisions and final plans be reviewed and approved by the Urban Conservator before issuing a Certificate of Appropriateness and a building permit.

**ZONING VARIANCES & PRELIMINARY DESIGN REVIEW, 830 LINCOLN AVENUE, LINCOLN-MELROSE HISTORIC DISTRICT**

Staff member Adrienne Cowden presented the staff report for 830 Lincoln Avenue. The property is zoned RMX (Residential Mixed). This project includes seven single-family rowhouses. Four of the seven proposed rowhouses will face onto Melrose Avenue while the remaining three residences will front Lincoln Avenue.

The applicant is requesting a preliminary design review for this project as well as the necessary zoning variances. Ms. Cowden indicated that there have been some design changes since the packets were sent out, including changes exterior facing materials.

The zoning variances are requested for the front yards. The requirement for RMX area for rowhouses is 20'. The proposed setback of 10'-0" from the property line and approximately 20' from the curb, appears to match that of the Lincoln Avenue rowhouses within the historic district. Staff recommends the Board approve the zoning variance and offer the applicant any comments or suggestions regarding the preparation final designs for the proposed residences.

Mr. Senhauser asked about townhouses in the area. Ms. Cowden indicated townhouses are not found elsewhere in the district, but attached townhouses were required to gain the greater density required to meet the financial constraints of the project. She said the mass of the row might be reduced with greater articulation between the units.

Ms. Maria Collins and Mr. Jim King both with Walnut Hills Redevelopment Foundation, Inc. were present to describe changes in the project.

Mr. Jim King indicated that he was trying to get an idea from the Board what could work on the site both terms of design as well as economically. He said the sale prices cannot top \$80,000 and that as designed he would have to sale them at \$170,000 to \$175,000 to break even. Mr. King said he was trying to create sufficient mass to be profitable. He acknowledged that his designer Drees is a suburban housing builder trying to conform to an urban neighborhood.

Mr. Senhauser said the scale is generally more urban in nature than suburban, and that the drawing did a good job of suggesting the articulation and in scale of the project. He said he understood that the price range would make it difficult to incorporate elements, like steeper roofs and higher ceilings, that would increase verticality, but that the porches were a real plus.

Mr. Raser stated the first floor windowsills look like they are below floor level. Mr. Raser stated that the corner site at Melrose and Lincoln should have a corner building designed for it and that this building should not simply be a row house, whose side faces a primary street.

Mr. King responded that the entry was a half story above the living spaces facing the street; the lower windows serve the optional family room. Mr. King explained that the great room, kitchen and dining room are on the main level, the garage and family room a half level below and the bedrooms a half level above. Mr. Kreider stated that based on other houses in the neighborhood, the design seems to need steeper gables and a shed dormer to break up the roof surface.

Mr. Senhauser indicated there is a certain ambiguous nature to the design that wants to be vertical but is horizontal. He said he thought the roof could be simplified yet still produce the articulation that is needed. He said the design might incorporate a series of projecting gables, bay windows or individual porches to emphasize the vertical.

Mr. Kreider said that given the price points in the neighborhood and the density required, the Board should find that the setback variances are necessary.

### **BOARD ACTION**

The Board voted unanimously (motion by Kreider, second by Spraul-Schmidt) to take the following actions and grant approval of the necessary front yard setback variances with the following conditions:

1. Approval of the variances is conditional on the review and approval of the final plans and specifications by the Board before construction.
2. Any additional variances necessary due to site plan and/or design revisions shall be subject to the review and approval of the Board before construction.

Finding that such relief:

- a. Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic, architectural or aesthetic integrity; and
- b. Will not be materially detrimental to the public health, safety and welfare or injurious to the property in the district or vicinity

### **OTHER BUSINESS**

The Washington Park Redevelopment Plan has been scheduled for City Commission meeting on Friday 6/18/04 at 9:00 am.

### **ADJOURNMENT**

As there were no other items for consideration by the Board, the meeting adjourned.

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William L. Forwood  
Urban Conservator

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John C. Senhauser  
Chairman

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Date